

Notice of Allowability

Application No.

10/721,947

Examiner

Wenpeng Chen

Applicant(s)

ADILETTA ET AL.

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendments filed on 12/8/2004.
2. ☒ The allowed claim(s) is/are 7-10 (now renumbered as 1-4, respectively).
3. ☒ The drawings filed on 25 November 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Examiner's Amendments/Statement

1. Applicant's amendments filed on 12/8/2004 have been fully considered. The amendments overcome the followings set forth set forth in Office Action mailed on 10/25/2004:

- the objections to specification;
- the rejections to Claims 7-10 under 35 U.S.C. 112, first paragraph;
- the rejections to Claims 7-10 under 35 U.S.C. 112, second paragraph.

2. Amendments to specification

Replace paragraph 1 in page 1 with the following to correct and update the application information:

This application is a divisional of U.S. Patent Application No. 09/613,359 filed July 10, 2000 (now U.S. Patent No. 6,760,478 issued July 6, 2004) which is a continuation of U.S. Patent Application No. 08/670,199 filed on June 21, 1996 (now U.S. Patent No. 6,101,276 issued August 8, 2000), the entire teachings of which are incorporated herein by reference.

3. Amendments to claims

This application is in condition for allowance except for the presence of Claims 1-6 and 11-20 to Species I and III non-elected without traverse. Accordingly, Claims 1-6 and 11-20 have been cancelled.

Examiner's Statement of Reasons for Allowance

4. Claims 1-6 and 11-20 have been cancelled as explained above.

5. Claims 7-10 (now renumbered as 1-4, respectively) are allowed.

The following is a statement of reasons for allowance. The prior art fails to teach the systems of the interpreted Claims 7 and 9 which specifically comprise the following features in combination with other recited limitation:

-- calculating a difference value from a current image and a prior image in a compare module;

-- comparing said difference value to a variable adaptive threshold level, if said *difference value is less than the current value of* said variable *adaptive threshold* level, *subtracting said difference value from* said current value of said variable *adaptive threshold* value, thereby *producing a new* current value of said variable *adaptive threshold* level, and *deleting said video signal*,

if said *difference value exceeds* said variable *adaptive threshold* value, *resetting* said variable *adaptive threshold* to a predetermined beginning threshold value.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wenpeng Chen whose telephone number is 571-272-7431. The examiner can normally be reached on 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications. TC 2600's customer service number is 571-272-2600.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Wenpeng Chen
Primary Examiner
Art Unit 2624

May 26, 2005

